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October 17, 2024

VIA ECF

Hon. Nina R. Morrison
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Besedin v. County of Nassau, et al.*
Docket No. 18-CV-0819 (NRM)(ST)
File No. 210099

Your Honor:

We represent the defendants in this action. We write in accordance with Your Honor's October 15, 2024 Order to provide a proposed updated exhibit list and remaining objections.

Defendants' Proposed Exhibit List

Defendants propose to include Defendants' Exhibits A-G.

Defendants do not intend to introduce Exhibit H.

Plaintiffs' Proposed Exhibit List

Defendants do not object to Plaintiff's Exhibits 1-4, 8, 9, 11-13, 16-25, 27, 44, and 52.

Defendants do not object to Plaintiff's Exhibits 36, 41, 44, 46, and 52 provided copies of the documents without the "Legal Bureau Copy" are used so that the documents be read more clearly and easily. Additionally, Plaintiff's Exhibit 46 is only two pages, while the original document is three pages long. The entire document should be included for completeness purposes.

Defendants object to Plaintiff's Exhibit 6 as irrelevant. *Simmons v. Ferrigno*, No. 17-cv-6176, 2024 WL 1229285, *10 (W.D.N.Y., Mar. 22, 2024) ("[t]he Court will not permit [plaintiff's defense attorney] to testify as to bail amounts or plea offers because they are irrelevant")

Defendants object to Plaintiff's Exhibit 7 as it is hearsay and a document created for litigation by plaintiff's expert, not evidence.

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Defendants object to Plaintiff's Exhibit 15 as inadmissible hearsay that goes to ultimate issue in this case and cumulative of the certificate of disposition.

Defendants object to Plaintiff's Exhibit 26, 44, 45 and 47 as cumulative. Additionally, Exhibit 45 indicates that it is page 2 of 4 and is therefore incomplete.

Defendants object to Plaintiff's Exhibit 42 and 43 as double hearsay and further to the extent that they touch upon the ultimate issue in this litigation and are severely prejudicial.

Defendants object to Plaintiff's Exhibits 37 and 38 as irrelevant.

Defendants do not withdraw any of their previously identified exhibits, except Exhibit H. Thank you for your consideration of this matter.

Respectfully submitted,

SOKOLOFF STERN LLP

/s/

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CC:

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